

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DAVID T. KASTRITSIOS,

Plaintiff(s),

-against-

EMILY DiCENSO and RAFFAELE DiCENSO,

Defendant(s).
-----X

08 Civ 5345 (NRB)

PLAINTIFF'S FIRST SET
OF INTERROGATORIES
TO DEFENDANTS

PLEASE TAKE NOTICE that pursuant to Rule 33 of the Federal Rules of Civil Procedure, defendants are hereby required to answer under oath within thirty (30) day the following interrogatories:

1. State the full name, date and place of birth and present address of each defendant.
2. State the full name and present address of the person who defendants claim was driving defendant's vehicle, a 2001 BMW, Massachusetts State License Number 268V, on April 27, 2008 between the hours of 12:00 noon and 1:00 P.M.
3. State in detail and without regard to generalities, the manner in which the defendants or either of them claim the accident in which plaintiff, DAVID T. KASTRITSIOS, alleges to have been injured on April 27, 2008 between the hours of 12:00 noon and 1:00 P.M. (hereinafter, "the accident"), occurred, specifically including when, in relation to the time when the accident occurred, the defendant driver first saw the plaintiff and plaintiff's vehicle
4. State in detail and without regard to generalities, what the driver of defendant's vehicle stated to the investigating Police Officer at the scene of the accident with regard to the manner in which the accident occurred.
5. State in detail and without regard to generalities, what the driver of defendant's vehicle stated to the investigating Police Officer concerning the manner in which the accident occurred.
6. State in detail and without regard to generalities, what the driver of defendants' vehicle was doing at and immediately preceding the occurrence of the accident.
7. Was a Global Positioning Device available for the use of the defendant driver at the time and place of the accident?
8. If the answer to the preceding interrogatory is in the affirmative, state if the defendant driver was using the Global Positioning Device at the time and

place of the accident.

9. Did either defendant make a written or oral statement concerning the manner in which the accident occurred?
10. If the answer to the preceding interrogatory is in the affirmative, state when, where and to whom each such statement was made or given. If any such statement was written, attach a copy to your answers to these interrogatories.
11. Did either defendant make or file a written report of the accident?
12. If the answer to the preceding interrogatory is in the affirmative, describe each such report and state to whom each such report was made and where the same was filed. Attach a copy of each such report to your answers to these interrogatories.
13. State the full name and last known address of every witness known to defendants to the facts and circumstances of the accident, including eyewitnesses and any other persons having knowledge of the accident.
14. State whether defendants' attorney or anyone acting for defendants or on their behalf obtained statements in any form from any persons regarding the events or happenings that occurred at the scene of the accident providing the names and addresses of each person from whom said statement was taken. Attach a copy of each such statement to your answers to these interrogatories.
15. State the full name and address of each and every person who was a passenger in defendant's vehicle at the time of the accident.

PLEASE TAKE FURTHER NOTICE that these interrogatories are continuing in nature and require supplemental answers if additional information is obtained at any time after the answers are served, up to and including the time of the trial of this action.

PLEASE TAKE FURTHER NOTICE that upon the failure of defendants to answer these interrogatories within the time limited by the Federal Rules of Civil Procedure, plaintiff will move to strike the answer of defendants, enter judgment on the complaint and seek such other and further relief as the Court may deem appropriate under the circumstances.

Dated: Hauppauge, New York
August 19, 2008

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By: _____
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